

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
(WESTERN DIVISION)**

IN RE MERCY HEALTH ERISA LITIGATION

Civil Action No.: 1:16-cv-00441-SJD

**PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES AND EXPENSES AND
CASE CONTRIBUTION AWARDS**

Plaintiffs David Lupp, Janet Whaley, Leslie Beidleman, Patricia Blockus, Charles Bork, Marilyn Gagne, Karl Mauger, Patricia Mauger, Beth Zaworski, Nancy Zink, Mary Alban and Linda Derrick (collectively, the "Named Plaintiffs" or "Plaintiffs"), respectfully move that the Court issue an order:

- (a) Awarding attorneys fees in the amount of \$779,531.20 to Plaintiffs' counsel;
- (b) Awarding litigation expenses in the amount of \$46,468.80 to Plaintiffs' counsel;
- (c) Awarding case contribution awards of \$2000 to each of the Named Plaintiffs, for a total of \$24,000.
- (d) Requiring Defendants to pay attorneys' fees, expenses and case contribution awards as itemized above in accordance with the terms of the Settlement Agreement.

In support of this Motion, Plaintiffs have filed a Memorandum of Law, and in support of both this motion and the Motion for Final Approval of Class Action Settlement, Plaintiffs have filed a proposed Order and Final Judgment and supporting declarations from Interim Co-Lead Class Counsel (Mark K. Gyandoh and Mark P. Kindall), Interim Liaison Class Counsel (Ronald R. Parry), and additional Plaintiffs' Counsel (Laura R. Gerber, Michelle C. Yau, and Thomas R. Theado (Joint Declaration) and Thomas J. McKenna), as well as various exhibits thereto.

Dated: October 29, 2018

Respectfully submitted,

By: /s/ Mark P. Kindall
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 29, 2018, a copy of the foregoing document was filed electronically. Notice of this filing will be sent to counsel of record by operation of the Court's electronic filing system.

/s/ Mark P. Kindall

Mark P. Kindall